

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DAVID H. SITRICK

Plaintiff,

v.

ACTIVISION, INC.,

Defendant.

DOCKETED
FEB 12 2003

Case No.: 02-CV-07143

Judge James B. Moran

NOTICE AND PROPOSED ORDER
REGARDING DISMISSAL WITH
PREJUDICE PURSUANT TO FED. R.
CIV. P. 41

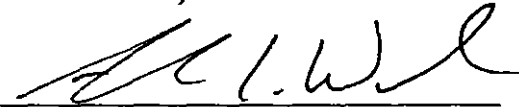
FILED
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CLERK
U.S. DISTRICT COURT

Plaintiff David H. Sitrick, by and through his counsel, hereby requests that this entire action, including the complaint filed in this action, shall be dismissed with prejudice immediately by the Court. The parties have agreed that each party is to bear its own attorneys' fees and costs with respect to this action and any such dismissal.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

By:



Andrew C. Warnecke
Attorneys for Plaintiff
DAVID H. SITRICK

Dated: February 10, 2003

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CERTIFICATE OF SERVICE

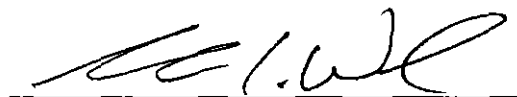
The undersigned hereby certifies that on the 10th day of February 2003, the foregoing **NOTICE AND PROPOSED ORDER REGARDING DISMISSAL WITH PREJUDICE PURSUANT TO FED. R. CIV. P. 41** was served via U.S. First Class Mail to:

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Attorneys for Defendant
ACTIVISION, INC.

With a courtesy copy being sent via U.S. First Class Mail to:

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